

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.202(b),) MB Docket No. 02-122
Table of Allotments,) RM-10444
FM Broadcast Stations.)
(Lone Pine, California))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: February 26, 2003

Released: March 4, 2003

By the Assistant Chief, Audio Division:

1. In response to a petition filed by Virgil Todd ("Petitioner"), the Audio Division of the Media Bureau has **before it for consideration** the *Notice of Proposed Rulemaking* ("Notice")¹ proposing the allotment of Channel 249A at Lone Pine, California, as the community's first local FM transmission service. In the Notice, we required that Petitioner include, with his comments, verification that the statements contained in the petition are accurate to the best of his knowledge.² Petitioner did not file comments supporting the requested allotment, nor were comments received from any other party.

2. As stated in the Appendix to the Notice, a showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an adequate expression of interest. Petitioner has neither demonstrated a continuing interest in the requested allotment nor supplied the verification required by Section 1.52 of the Commission's Rules.

3. Accordingly, IT IS ORDERED, That the petition for rule making filed by Virgil Todd IS DISMISSED.

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED

5. For further information concerning this proceeding, contact Deborah Dupont, Media Bureau, (202)418-7072.

FEDERAL COMMUNICATIONS COMMISSION

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

¹ Lone Pine, California, 17 FCC Rcd 9557 (2002)

² See 47 C.F.R. §1.52.